

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6033 of 2018**

1. Smt. Kavita Mahant S/o Late Ramesh Yadav Aged About 29 Years R/o Bajrangpara Jutmil District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
2. Anjli Das @ Rampyari W/o Vijay Das Aged About 26 Years R/o Usraut, P. S. Kotra Road, At Present Address Bajrangpara Jutmil, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
3. Dinesh Bairagi S/o Haridas Bairagi Aged About 47 Years R/o Kargiroad, Kota, Bilaspur At Present Address Kalarpara, Kosamnara, Kotraroad Raigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Kotra Road Raigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicants : Shri Manoj Kumar Jaiswal, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****12.11.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.38 of 2018, registered at Police Station – Kotra Road, District – Raigarh, Chhattisgarh for the offence punishable under Sections 372, 373 and 376 of the Indian Penal Code, Section 5 of the Immoral Traffic (Prevention) Act and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicants submits that the applicants are in jail since 17.2.2018 and have been falsely implicated in this case. No case is made out against the applicants on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused – Smt. Laxmi Sharma has been granted regular bail by this Court in M.Cr.C. No. 5961 of 2018 vide dated 4.9.2018. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that these applicants are the main accused in this case. Hence, they are not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. It is alleged that the minor victim in this case was compelled and forced to indulge in prostitution by these applicants and the co-accused persons.

6. After perusing the certified copy of the deposition of the prime witness in this case and taking into consideration the fact that similarly placed co-accused person has been granted regular bail by this Court, I feel inclined to grant regular bail to the applicants.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge